

M A S S A C H U S E T T S
OFFICE OF EMERGENCY MEDICAL SERVICES
DEPARTMENT OF PUBLIC HEALTH

ADMINISTRATIVE REQUIREMENT MANUAL

EFFECTIVE DATE: August 11, 2014 **AUTHORIZATION:** D. Allwes, Bureau Director, BS, BSN, MPH

TITLE: Priority of Recognition of Local Jurisdictions for Service Zone Planning

SUPERSEDES: N/A

Purpose: To document the Department’s priority of recognition of local jurisdictions, when there is a conflict that overlapping jurisdictions cannot resolve, for purposes of service zone planning.

Background: M.G.L. c. 111C defines “local jurisdiction,” for service zone planning purposes, to be an entity empowered by the legislative body within a city, town, fire district or water district to select service zone providers, including but not limited to, a city council, board of selectmen, board of aldermen, mayor or town manager.

The Department has been reviewing and approving service zone plans since the regulations implementing this statute were promulgated in 2004. The regulations are silent on what would happen if there were a conflict between a city or town, say, and a fire or water district that partially overlapped with a piece of the city or town.

The Department has de facto implemented a priority system since 2004, when it began reviewing and approving service zone plans for cities and towns and a handful of fire districts (no water districts have submitted a service zone plan). When the Department receives a recommended service zone plan through the Regional EMS Council for a particular fire district, the Department has required the fire district to obtain a signed letter from the city or town with which the fire district overlaps. This letter attests that the city or town is not intending to submit its own EMS service zone plan that would cover the area of overlap, and thus approves the fire district’s submitted plan. Every fire district that has a Department-approved service zone plan (there are currently five of these) has such a letter included in its service zone plan. On the other hand, when the Department receives a recommended service zone plan through the Regional EMS Council for a city or town, it does not ask for such a letter if there happens to be a fire or water district that overlaps with the city or town. That is because the Department has de facto recognized cities and towns – or local municipalities – to be the primary local jurisdiction.

Requirement: This is to clarify that, should there be a conflict over EMS service zone planning between a city or town, and a fire or water district that overlaps in part or in whole with that city or town, in keeping with the statutory intent to give cities and towns continued primacy in the design of their EMS service delivery systems and designation of primary EMS providers, the Department shall recognize jurisdictions in the following priority order:

- A. Cities and towns – local municipalities
- B. Fire districts
- C. Water districts

If an EMS service zone plan is submitted by a city or town, that plan does not need approval of any district that overlaps with the city or town. However, if an EMS service zone plan is submitted by either a fire or water district, it will need the approval of the local jurisdiction(s) that are prioritized ahead of it.